

The VIRGINIA ARGUS.

[Vol. X.]

A FREE PRESS MAINTAINS THE SOVEREIGNTY OF THE PEOPLE.

[No. 953.]

RICHMOND:—PRINTED (ON WEDNESDAYS AND SATURDAYS) BY SAMUEL PLEASANTS, JUNIOR, PRINTER OF THE LAWS OF THE UNITED STATES.

[FOUR DOLLARS PER ANNUM—PAID IN ADVANCE.]

SATURDAY, JULY 31st, 1802.

[12 1-2 CENTS SINGLE.]

THE FOLLOWING SCHEME OF A LOTTERY,

To raise the sum of two thousand dollars,
for the purpose of repairing the
buildings of

WASHINGTON HENRY ACADEMY.

THIS Seminary was once second to none in the State, except William and Mary; and its healthiness of situation and contiguity to Richmond, renders its re-establishment an object of great importance to the citizens of that place. An hour's ride in any emergency may obtain the best medical aid, and place children immediately under the care and management of their parents.

The prizes in this Lottery are certainly not so large as to attract in any very great degree the mercenary; while they afford, from the few blanks to a prize, a fair chance for profitable returns to those who may purchase tickets. It is the promotion of an institution so valuable to society, which ought to command the liberality of the public in general, but in an eminent degree those who reside near the place, and are consequently more immediately interested. It is presumed that if the importance of reviving this Academy, was justly appreciated, the citizens of the adjacent counties would of themselves immediately purchase all the tickets.

1 prize of	500	500
2 do. of	300	600
5 do. of	100	500
10 do. of	50	500
50 do. of	20	1000
370 do. of	10	3500
1000 do. of	7	7000

500 tickets at 5 dollars, not quite 25 dollars, 14,000.

It is proposed by the above scheme, to sell 2000 dollars, by discount upon prizes which, at 15 per cent, will be the same.

TICKETS

Sold by the trustees, Thomas Tinsley, A. Randolph, M. Jones, Wm. Pollard, Gervais Storrs, John Seabrook, Jno. A. Richardson, Samuel Scherer, Roger Gregory, Jr. W. Trueheart, Thos. Starke, Benj. Pollard, Henry Timberlake, Benj. Oliver, Jr. Jno. D. Blair—and the money received from time to time, is directed to be deposited in the treasury, for the use of the successful adventurers, or of the purchasers of such tickets respectively, if any accident should require a reimbursement.

Doct. J. Prentiss,

FROM NEW YORK:

RESPECTFULLY informs the public, that he will TEACH all MECHANICAL ARTS, namely: Carriage Making, Varnishing and Gilding and making the above compositions, Copal and Japaned Varnishes, after the India and European fashions.—Windsor Chair-makers, and Tinplate workers the art of Japanning in the European fashion—Watch-maker's and Silver smith's the art of Gilding and plating—Grocers the art of Confectionary and cordials—Apothecaries, Patent Medicines obtained from the Patent Office London, &c. &c.—No pay will be expected, until they are perfectly satisfied with his instructions. Apply at the Eagle Tavern, or at his manufactory and still close a mile and a half below Shed Town. N. B. All persons having demands against Doct. Prentiss, are requested to bring in their accounts immediately, as he will positively leave this place for the north in ten weeks—and those indebted to him will therefore see the necessity of settling their respective accounts immediately.

R. JOHN WARD,

SIR, I know not your place of residence, but this method of notifying you, that I by my attorney, move the worshipful Court of Buckingham county, on the 1st Monday in August next, that being 1st day, for a judgement and award of action against you for the sum of five pounds ten shillings, with lawful interest, from the twelfth day of May, one thousand seven hundred and ninety nine, five dollars and sixty seven cents, also five per cent on both the above sums, which for the sheriff's commission, which sums, except the last sum for the commission, Joseph Cabell, William Davis, and John Breckenridge, Executors of Joseph Cabell, dec. recovered as due as your security in said Court, but and cost, and which I have paid.

I am, Sir,
Your former friend, &c.
JOHN BAGBY.
12th, 1802. (2w)

Novels, Romances, &c.

For sale at S. Pleasants's Book-Store, Richmond.

Adrian and Thelma	Invasion
Anna Sc. Ives	Joseph Andrews
Augusta	Jane Talbot
Arthur Fitzabini	Juvenile Emigrants
Abbeys	James the Fatalist
Alexis	Jack Smith
Adamsina	Love's Pilgrimage
Antoinette	Lancelot Greaves
Ambrose and Eleanor	Lewis de Boncourt
Advertisement for a	Launce (the)
Husband	Love and Patriotism
Arthur Mervyn	Louisa, the lovely Orphan
Armenian	Leonard and Gertrude
Beggar Girl	Matilda and Elizabeth
Baronet	Medallion (the)
Satavians	Memoirs of Maure
Black and Bond	Jacqueline
Charles Grandison	Maid of Kent
Calaf	Modern Philosophers
Carrie and Polydorus	Memoirs of Mary Wol
Count de Hoenstern	Monkcraft Godwin
Contradictions	Mordant
Count Novini	Midnight Bell
Coquette	Myseries of Udelpho
Charlotte Temple	Mountbatten
Camilla	Maid of the Hamlet
Contrast	Museum of agreeable
Cavern of Death	entertainment
Children of the Abbey	Monk (the)
Clermont	Nodurnal Visit
Coughlan's (Mrs.) Me-	Negro (the)
moirs	Orphan of Bollenbach
Confidant Lovers	Ormond, or the secret
Disappointed Heir	wit
Disinterested Love	Picture of the age
Defiance	Plain Sense
Elhiott, or villitudes of	Peregrine Pickle
early life	Prince of Sicily
Eliza Beaumont	Redden's Son
Edgar Huntley	Reuben and Rachel
Eliza Powell	Roderick Random
Evallina	Rinaldo Rinaldi
Edward and Edilda	Riding (the)
Edward	She Lives in Hope
Emilia de Vermont	Scots Heiress
Fashionable Infidelity	Shenstone Green
Fancied Events	Sophia, or the Embar-
Forerunners	raffed wife
Family of Halden	Shrine of Bethesda
Favorites of Felicity	Schindus Nothman
Family Secrets	Slavery, or the Times
Fairy Tales	St. Leon
Crusille Abbey	Sodom (the)
Gomez and Eleanor	Spanish Rogues
Godfrey de Hallings	Telephus (the)
Gabriel de Verge	Travels before the Flood
Geraldine	Tales of the Heart
Gipsy Countess	Tales of Wonder
Gonzalvo of Cordova	Tale of the Times
Gallias	Two Cousins
Ghost-Seer	Unfortunate Union
Haunted Priory	Victor of Landowne
Hortio of Holstein	Village Curate
Henry Willoughby	Victor of Wakefield
Hartley Houie	Wanderings of William
Haunted Cavern	Weiland
Henry Villars	Wandering Islanders
Madore of Galicia	Young Exiles
Infructuous Rambles	Zeluco.
Idlegerte	
Invisible Rambler	
Italian Nun	

FOR SALE,
At Hanover courthouse, on Wednesday
the 25th day of August next (Han-
over court day)

A Tract of Land,

Adjoining the land on which the said court house is, & extending to Littlepage's bridge, on Pamunkey river, containing 351 acres; one third of the purchase money will be required on the day of sale, and the terms as to the rest, fixed on at the same time. The subscriber will endeavor to sell, before the said 25th of August, the said land, privately, and should he succeed, will advertise the public of it immediately.

BENJ. POLLARD,
Trustee of the estate of
PAUL THILMAN, dec.
Hanover, July 14th, 1802. (1ds)

THE term for which the subscribers
were connected in business having
expired on the 30th June last.

THE PARTNERSHIP OF

Johnston & Richardson

WAS ON THAT DAY DISSOLVED.

Those indebted to, or having claims on
them will apply for settlement to ED-
WARD JOHNSTON, who will hereafter
transact business on his own account.
EDWARD JOHNSTON.
THOMAS RICHARDSON.
Norfolk, July 12, 1802. [3w]

JUST PUBLISHED,

And may be had at the Printing-Office of
John Dixon, and of John Courtney, jun.
near Mr. Wilkinson's Tavern, on Shoc-
okee hill—

THE CHRISTIAN'S POCKET COM- PANION,

Being a collection of the best and most
admired SPIRITUAL SONGS, now made
use of amongst the United Baptist of Vir-
ginia. (Selected by John Courtney, senr.)
This Book contains 108 pages, 8
vo.—Price, twenty five Cents single.
Richmond, July 19th, 1802. (3c)

Sales at Auction.

THE subscribers hourly expect the ar-
rival of a considerable consignment
of

GROCERIES

From New-York, by the Brig Alexander,
Capt. Culver, which they purpose selling
publicly at Rocketts' landing, on 2 and 3
months credit, for notes with approved
security—

—CONSISTING OF—

25 Hogsheads prime Muscovado Sugar;
11 Puncheons Old Rum;
22 Bags best green Coffee;
5 Pipes genuine Port Wine;
10 Boxes best Bourdeaux Claret;
10 Puncheons 3d & 4th proof A. at. Rum.
8 ditto do. do do 5th proof A. at. Rum.
4 Pipes Geneva.
20 Bags black Pepper.
Sherry & Teneriffe Wines, &c. &c. &c.
N. B. Further notice of the day of sale
will be given.

PROSSER & MORECURE.
Richmond, July 27, 1802. (1f)

TO THE SENATE OF VIRGINIA.

THE late Clerk of your house (who no
doubt would have merited a continu-
ance of favor) being dead; it becomes ne-
cessary on the ensuing session to appoint
some other person to that post; I there-
fore tender my service, and promise a due
and prompt discharge of official functions,
as far as can be effected by the most un-
remitted assiduity and attention.

JOHN ARCHER ROBERTSON.
Richmond, 10th July, 1802. (2)

To the Public.

THE subscriber intends leaving this
state for some time; the public are the more
notified, that Mr. MATTHEW CHERRAM,
of Chesterfield, is appointed my attorney
in fact, and will transact all my business
during my absence.

DANIEL GORDON.
Manchester, July 26th, 1802. (1f)

BY order of a Board of the Directors
of the Manchester Turnpike Compa-
ny, I hereby notify the Share-holders of the
said company, that they are requested to
meet at Mr. Brooks's tavern in Manches-
ter, the 30th day of August next, to supply
a vacancy in the Directory.

DANIEL BEASLEY, Secretary.
July 26, 1802. (10f)

TO BE SOLD,

For ready money, on the 7th day of Au-
gust next, at the Eagle Tavern in the
city of Richmond, in pursuance of the
deed of trust from Peter M. Carey to
Cornelius Buck and Henry L. Biscoe,
in order to secure the payment of a cer-
tain sum of money due the late Thomas
Gibson, of Prince Edward, and the ex-
penses, attending the execution of the
trust,

TWO HUNDRED ACRES OF LAND,

Lying about twelve miles above Manches-
ter. [cots]

Cornelius Buck, } Trustees.
Henry L. Biscoe, }
July 6, 1802.

VIRGINIA:

In the High Court of Chancery, Monday
October 5th, 1801.

BETWEEN

William Duval, Plaintiff,
AND
John Powell, and William T. Giles, and
Frances Todd, Admr. and Admrx. of
John Todd, and
Devises of the said John, Defendants.

THE defendant John Powell, not having
entered his appearance, and given secu-
rity according to the act of assembly and
the rules of this court, and it appearing to
the satisfaction of the court, that he is not
an inhabitant of this country, on the motion
of the plaintiff, It is ordered, that the de-
fendant do appear here on the first day of
the next term and answer the bill of the
plaintiff; and that a copy of this order be
forthwith inserted in some news paper of
the city of Richmond for two months suc-
cessively, and posted at the front door of
the capitol in the said city.

A Copy,
Teste,
P. TINSLEY, c. c.

CONGRESS.

HOUSE OF REPRESENTATIVES.

Friday, February 19, 1802.

DEBATE
On the bill received from the Senate, entitled
"An Act to repeal certain acts respecting
the organization of the courts of the United
States."

(Mr. Bayard in continuation.)

The circuit is the principal court of civil
and criminal business; the defects of
this court were therefore most generally
and sensibly felt. The high characters of
the judges at first brought suiters into the
courts, but the business was gradually declin-
ing, though causes belonging to the juris-
diction of the courts were multiplying. The
continual oscillation of the court baffled all
conjecture as to the correct course of the
proceeding or the event of a cause. The
law ceased to be a science. To advise
your client it was less important to be
skilled in the books than to be acquainted
with the character of the judge who was to
preside. When the term approached, the
enquiry was, what judge were we to
have? What is his character as a lawyer?
Is he acquainted with chancery law? Is he
a strict common lawyer? Is he a special
pleader?

When the character of the judge was
as when gentlemen would then, con-
sidering the nature of their causes, deter-
mine whether it was more advisable to use
means to postpone or to bring them to a
hearing.

The talents of the judges rather en-
crease the evil, than afford a corrective for
the vicious constitution of these courts.
They had not drawn their knowledge from
the same sources: Their systems were
different, and hence the character of the
court more essentially changed at each
successive term. These difficulties and
embarrassments banished suiters from the
court, and without more than a common
motive, recourse was seldom had to the fe-
deral tribunals.

I have ever considered it also, as a de-
fect in this court, that it was composed of
judges of the highest and lowest grades.
This, sir, was an unnatural association; the
members of the court stood on ground
too unequal, to allow the firm assertion of
his opinion to the district judge. Instead
of being elevated, he felt himself degraded
by a seat upon the bench of this court.
In the district court he was every thing;
in the circuit court he was nothing. Some-
times he was obliged to leave his seat
while his associate reviewed the judg-
ment which he had given in the court be-
low. In all cases he was sensible that the
sentences in the court in which he was,
were subject to the revision and control of
a superior jurisdiction, where he had no
influence, but the authority of which was
shared by the judge with whom he was
acting. No doubt in some instances the
district judge was an efficient member of
the court, but this never arose from the
nature of the system, but from the per-
sonal character of the man. I have yet, Mr.
Chairman, another fault to find with the
ancient establishment of the circuit courts.
They consisted only of two judges, and
sometimes of one. The number was too
small, considering the extent and impor-
tance of the jurisdiction of the court. Will
you remember, sir, that they held the pow-
er of life and death, without appeal. That
their judgements were final over sums of
2000 dollars, and their original jurisdic-
tion restrained by no limits of value, and
that this was the court to which appeals
were carried from the district court.

I have often heard, sir, that in a multi-
tude of council, there was wisdom, and if
the converse of the maxim be equally true,
this court must have been very deficient.
When we saw a single judge reversing
the judgement of the district court, the ob-
jection was most striking, but the court never
had the weight which it ought to have pos-
sessed, and would have enjoyed had it been
composed of more members.

But two judges belonging to the court
an inconvenience was sometimes felt from
a division of their opinions. And this in-
convenience was but poorly obviated by
the provision of the law that in such cases,
the cause should be continued to the suc-
ceeding term, and receive its decision from
the opinion of the judge who should then
preside.

I do not pretend, Mr. Chairman, to have
enumerated all the defects, which belong-
ed to the former judicial system. But I
trust those which I have pointed out, in the
minds of candid men, will justify the at-
tempt of the legislature to revise that sys-
tem, and to make a fairer experiment of
that part of the plan of our constitution
which regards the judicial power. The
defects, sir, to which I have alluded, had
been a long time felt and often spoken of.
Remedies have frequently been proposed.
I have known the subject brought forward
in congress, and in private, ever since
I have had the honor of a seat upon this

floor. I believe, sir, a great and just defi-
ciency for the author of the ancient scheme,
prevented any innovation upon its material
principles. There was no gentleman, who
felt that defence more than myself, nor
should I have ever hazarded a change upon
speculative opinion. But practice had
discovered defects which might well es-
cape the most discerning mind in planning
the theory. The original system could
not be more than experiment; it was built
upon no experience. It was the first ap-
plication of principles to a new state of
things. The first judicial law displays
great ability, and it is no disparagement of
the author, to say its plan is not perfect.

I know, sir, that some have said, and
perhaps not a few have believed, that the
new system was introduced not so much
with a view to its improvement of the old
as to the places which it provided for,
the friends of the administration.—
This is a calumny so notoriously false, and
so humble as not to require nor deserve an
answer upon this floor. It cannot be sup-
posed that the paltry object of providing
for sixteen unknown men could have ever
offered an inducement to a great party,
basely to violate their duty; meanly to sa-
crifice their character, and foolishly to fore-
go all future hopes.

I now come, Mr. Chairman, to examine
the changes which were made by the late
law. This subject has not been com-
pletely understood. It has every where been
erroneously represented. I have heard
much said about the additional courts cre-
ated by the act of last session. I perceive
them spoken of in the President's messages.
In the face of this high authority, I under-
take to state, that no additional court was
established by that law. Under the former
system there was one supreme court, and
there is but one now. There were sev-
enteen district courts, and there are no
more now. There was a circuit court
held in each district, and such is the case
at present, some of the district judges are
directed to hold their courts at new places,
but there is still in each district but one
district court. What, sir, has been done?
The unnatural alliance between the su-
preme and district courts has been severed,
but the jurisdiction of both of these courts
remains untouched. The power or au-
thority of neither of them has been
augmented or diminished.—The juris-
diction of the circuit court has been extend-
ed to the cognizance of debts of 200 dol-
lars, and this is the only material change
in the power of that court. The chief o-
peration of the late law is a new organiza-
tion of the circuit courts. To avoid the
evils of the former plan, it became neces-
sary to create a new corps of judges. It
was considered that the supreme court
ought to be stationary and to have no con-
nection with the judges over whose
sentences they had an appellate jurisdic-
tion.

To have formed a circuit court of the
district judges, would have allowed no court
of appeal from the district court, except
the supreme court, which would have been
attended with great inconvenience. But
this scheme was opposed by a still greater
difficulty. In many districts the duties of
the judge require a daily attention. In all
of them business of great importance may
on unexpected occurrences require his
presence.

This plan was thought of; it was well
examined and finally rejected, in conse-
quence of strong objections to which it was
liable. Nothing therefore remained, but
to compose the circuit court out of judges
distinct from those of the other courts.
Admitting the propriety of excluding from
this court the judges of the supreme and
district courts, I think the late congress
cannot be accused of any wanton expense
nor even of a neglect of economy in the
new establishment. It is extensive coun-
try has been divided into six circuits, and
three judges appointed for each circuit.
Most of the judges have twice a year to
attend a court in three states, and there is
not one of them who has to travel farther,
and who in time will not have more labor
to perform, than any judge of the state
courts. When we call to mind, that the
jurisdiction of this court reaches the life
of the citizen, and that in civil cases its
judgements are final to a large amount;
certainly it will not be said that it ought
to have been composed of less than three
judges. One was surely not enough, and
if it had been doubtful whether two were
not sufficient, the inconvenience, which
would have frequently arisen from an
equal division of opinion, justifies the pro-
vision which secures a determination in all
cases.

It was additionally very material to place
on the bench of this court, a judge from
each state, as the court was in general
bound to conform to the law and the pre-
dict of the several states.

I trust, sir, the committee are satisfied
that the number of judges which compose
the circuit court is not too great, and that
the legislature would have been extremely
culpable, to have committed the high
powers of this court to a few hands. Let